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September 6, 2006

BY MESSENGER AND EMAIL

800 MHz Transition Administrator
c/o Steve Lederman
Squire, Sanders & Dempsey L.L.P.
1201 Pennsylvania Avenue, N.W.
P.O. Box 407
Washington, D.C. 20044-0407

Re: Amendment to 800 MHz ESMR Election Notice of Choice Phone LLC

Dear Mr. Lederman:

Choice Phone LLC ("Choice" or "Company"), by its attorneys, hereby submits the instant amendment to its ESMR election notice ("Election Notice") filed with the Transition Administrator ("TA") on February 3, 2006 and in WT Docket No. 02-55 on February 6, 2006 ("Amendment to Election Notice"). Specifically, Choice seeks to amend the call sign list contained in its Election Notice to include an additional call sign for which Choice holds special temporary authority ("STA" or "Authorization") to operate.

Choice did not include the call sign for which it holds an STA, WPSH546, in its original Election Notice because the Company believed that the TA was not generally relocating temporary authorizations in connection with the 800 MHz band reconfiguration. In fact, a November 10, 2005 800 MHz TA Quarterly Progress Report indicated that "mobile-only systems and other secondary licenses (itinerant, demonstration and temporary) are not generally being reconfigured."¹

Based on discussions with TA staff, Choice was recently informed that the TA is currently including temporary licenses in the reconfiguration. The site-based Authorization which Choice seeks to include in the relocation was part of Choice's integrated EA-based communications system as of November 22, 2004. Pursuant to the Federal Communications

¹ See 800 MHz Transition Administrator, LLC Quarterly Progress Report for the Quarter Ended September 30, 2005, p. 3, filed in WT Docket 02-55 November 10, 2005.

Commission's ("Commission's" or "FCC's") *Memorandum Opinion and Order*², such integrated site-based licenses may be relocated in the reconfiguration. Given this, as further discussed below, Choice would like to include the Authorization in its Election Notice to maximize system efficiency as well as because Choice has been operating under the Authorization since 2000 and intends to secure a more permanent right to operate pursuant to the license.

A. Relocating the STA Promotes an Integrated EA-Based System

Relocation of Choice's site-based STA license will promote use of the Authorization in an integrated EA-based system in the Commonwealth of the Northern Mariana Islands ("CNMI") and the Territory of Guam. First, Choice holds a parallel authorization in Guam (WNDJ438) that is being relocated in Wave 4 and that is on the same frequency as the STA license (located in the CNMI). If the Authorization is relocated, Choice will continue to hold such parallel frequencies in the CNMI and Guam, which are integrated. Consequently, Choice would not be forced to incur the costs and inefficiencies of programming the difference in frequencies for the STA license (which would remain in the Guard Band) into the band map of all of its handsets, and could simply reprogram all frequencies to the ESMR Band in connection with the relocation. Second, if the Authorization were relocated, Sprint Nextel's customers would be able to roam on the STA frequencies because the STA frequencies would be relocated to the ESMR Band where Sprint Nextel's roaming capabilities extend. Sprint Nextel's roaming capabilities do not extend to the Guard Band where the Authorization would remain if it were not relocated. Finally, assuming the Authorization were relocated, the CNMI would not be the only location in the 800 MHz band reconfiguration with an ESMR system license located in the Guard Band.

B. Choice Has Been Operating Under the Authorization Since 2000 and Intends to Secure a Permanent Right to Operate on the Frequencies

The fact that Choice has been operating pursuant to the Authorization for several years and intends to secure a permanent right to the frequencies shows that Choice has integrated the Authorization into its EA-based system. The license was originally granted to Motorola, Inc. ("Motorola") in 1986 under call sign WNHF971 to operate SMR facilities in Mt. Takpochau, Saipan. In late 1999, Choice was in the process of negotiating to purchase Motorola's Guam and Saipan SMR facilities when it became apparent that Motorola's Saipan license had been cancelled by the Commission for failure to file a renewal application. In the interim, Motorola requested an STA in order to continue providing service on the frequencies, which was granted.

Motorola and Choice subsequently consummated their agreement for sale of the Guam and Saipan SMR facilities. In view of Choice's purchase of Motorola's Guam and Saipan SMR

² See Improving Public Safety Communications in the 800 MHz Band; Consolidating the 800 and 900 MHz Industrial/Land Transportation and Business Pool Channels, *Memorandum Opinion and Order*, 20 FCC Rcd 16015, FCC 05-174, par. 12 (2005) (*MO&O*) citing *Report and Order*, *Fifth Report and Order*, *Fourth Memorandum Opinion and Order*, and *Order*, 19 FCC Rcd 14969, par. 78 (2004).

Steve Lederman
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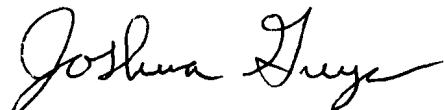
facilities, in 2000 Choice requested a similar STA to that of Motorola, which was granted by the Commission. Choice later requested an extension of its Authorization pending FCC Auction No. 34 (800 MHz SMR Service General Category Band and Upper Bands). Choice intended on securing the license to the frequencies during the auction so as to secure a permanent grant of the license for which Choice held an STA. Choice's request for an extension of its Authorization was granted.

Choice participated in FCC Auction No. 34 in 2000; however, Choice's attempt to obtain the license was unsuccessful. The company that was the highest bidder with respect to the license, however, did not fulfill the requirements of the auction and was not awarded the license by the FCC. Thus, the license at issue is currently not held by anyone. In accordance with Commission rules, the frequencies are likely to be re-auctioned at a later date. Choice intends to participate in the re-auction of the frequencies to secure a more permanent right to operate its services. The Company recently received an extension of its Authorization to January 30, 2007.

To amend its Election Notice, Choice submits a new Attachment B (enclosed) with a list of call signs of all relevant licenses, including WPSH546. Attachment D to Choice's Election Notice contained documentary evidence that each site-based license was an integral part of the EA-based system as of November 22, 2004. There is only one EA for Guam and the CNMI (Saipan, Tinian and Rota). Therefore, all of Choice's sites, including WPSH546, are within the relevant EA (as shown in the contour maps included with Attachment D in Choice's Election Notice). Finally, we have enclosed a Certification of Richard Yu for this Amendment to Election Notice.

Should additional information be required, Choice will be pleased to supply it. Please direct any questions to the undersigned.

Sincerely,



Thomas K. Crowe
Joshua T. Guyan,
Counsel for Choice Phone LLC

Attachments

cc: David Buchanan
Robert F. Kelley, Jr.
Filed in WT Docket 02-55

Election Notice
Choice Phone LLC
September 6, 2006

ATTACHMENT B

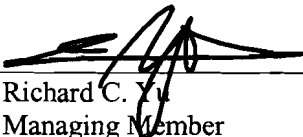
CALL SIGN LIST

Call Sign	Channel Block	BEA
WPRQ765	D	173
WPRQ766	DD	173
WPSJ754	G	173
WPSJ757	H	173
WPSJ758	I	173
WPSJ759	J	173
WPSJ763	K	173
WPSJ764	L	173
WPSJ765	M	173
WNDJ438		
WNSS346		
WPSH546		

DECLARATION OF AUTHORIZED REPRESENTATIVE

Richard C. Yu hereby declares under penalty of perjury that the foregoing is true and correct:

I am an authorized representative of Choice. I have read the foregoing Amendment to 800 MHz ESMR Election Notice of Choice Phone LLC letter from Thomas K. Crowe and Joshua T. Guyan, counsel for Choice, to the 800 MHz Transition Administrator on behalf of Choice ("Amendment to Election Notice Letter") and the call sign exhibit attached thereto, which was prepared under my direction. All facts set forth in the Amendment to Election Notice Letter and the call sign exhibit are true and correct to the best of my knowledge and belief.



Richard C. Yu
Managing Member
September 5, 2006